

REMARKS

Claims 1-11, 16-27, 33-43 and 48-59 are pending. Claims 8 and 40 were amended to address an antecedent basis problem. Claims 16 and 48 were amended to clarify the claim scope. Claims 12-15, 28-32, 44-47 and 60-64 were canceled.

No new matter was added by any of the amendments. Regarding the amendment to claims 16 and 48, JavaScript is inherently a scripting language. See, for example, the attached Appendix which show two commonly accepted definitions of JavaScript which state that it is a scripting language.

Withdrawal of all claim rejections is respectfully requested for at least the reasons set forth below.

Election/Restrictions

Applicants hereby confirm the election. The non-elected claims were canceled.

Prior Art Rejections

1. Claims 16, 21, 48 and 53 were rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,324,511 (Kiraly et al.).

2. Claims 17-19 and 49-51 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kiraly et al. in view of prior art disclosed by Applicant.

3. Claims 20 and 52 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Kiraly et al. in view of U.S. Patent No. 6,115,686 (Chung et al.).

4. Claims 1, 2, 6-8, 10, 11, 33, 34, 38-40, 42 and 43 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Chung et al. in view of Kiraly et al.

5. Claims 3-4 and 35-36 were rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable (i.e., obvious) over Chung et al. in view of Kiraly et al. and prior art disclosed by Applicant. See section 10 of the Office Action.

Applicants respectfully traverse all of the rejections.

1. Kiraly et al.

Kiraly et al. (hereafter, "Kiraly") discloses text reader software that electronically reads text-based data (text documents) aloud and automatically highlights the text as it is read so that the user can visually associate the spoken words to the words in the text document. The highlighting may be word-by-word highlighting or phrase-by-phrase highlighting (column 9, lines 29-30).

The source of the text-based data may be the contents of a clipboard, a Microsoft Word document, an Internet Explorer document, or text-based data of other application software (column 8, line 64 through column 9, line 18). If the source of the text-based data comes from a clipboard, a user may select particular sentences or paragraphs from another resident document, and then "copy" the selected sentences or paragraphs into the clipboard (column 9, lines 4-7).

Referring to steps 422, 432 and 470 of Figure 4, the section of text to be highlighted and spoken is automatically selected from the text-based data source in sequential order (column 9, lines 31-38; column 9, lines 49-54; column 10, lines 4-7). The user has no control over what text portion is highlighted. The only control that the user retains is to select how the highlighting appears (i.e., highlighting parameters) as shown in Figure 6, to select the text that is placed in the clipboard and which becomes automatically read as described above, and to stop the reading process (column 11, lines 2-4).

Kiraly thus lacks the ability to allow a user to select or highlight a portion of the text-based data to be read.

2. Patentability of claims 16 and 48 over Kiraly

Kiraly does not disclose or suggest at least step (a) of claims 16 and 48. As discussed above, Kiraly only performs the text-to-speech operation on text-based data, and Figure 4 of Kiraly clearly shows that the words or phrases of the text-based data are automatically highlighted and spoken sequentially from the beginning to the end of the text-based data. In Kiraly, grammatical units are not defined by active regions that can be subsequently selected by a user. Furthermore, in Kiraly, the user cannot select any portion of the text-based data to be automatically highlighted by positioning a pointing device over such a portion.

In the Office Action, the Examiner asserts that column 6, lines 6-7 and 18-25 of Kiraly discloses step (a) of claims 16 and 48. Column 6, lines 6-7 merely describe the use of a pointing device but does not describe that it is used in the manner recited in step (a) of claims 16 and 48. Column 6, lines 18-23 summarize the same highlighting and speaking process of Kiraly described above. Column 6, lines 23-25 describe an additional feature of Kiraly's software wherein two different windows are used to show the text-based data. Referring to Figure 3 of Kiraly, window 310 shows a portion or subset of the text-based data of window 320. However, the text portions that are highlighted in the windows 310 and 320 are the same text portions that are being automatically and sequentially read and spoken as described above. They are not user-selected text portions. The window 310 is provided solely for easier viewability (column 6, lines 51-63) and not to provide the user with the ability to control the text to be highlighted and spoken. In sum, the portions of Kiraly referred to by the Examiner do not disclose using a cursor control device to select the portion of text to be read and then highlighted as it is read.

In sum, Kiraly not only fails to disclose or suggest step (a) of claims 16 and 48 but teaches away from step (a) because Kiraly describes a process that automatically reads the entire text-based data, which is the opposite of the claimed process that allows a user to manually select a portion of the text-based data that the user may wish to be highlighted and spoken.

Since Kiraly lacks any disclosure or suggestion of step (a) of claims 16 and 48, Kiraly inherently cannot disclose or suggest step (b) of claims 16 and 48 which requires that the grammatical unit identified by the position of a pointing device be automatically loaded into a text-to-speech engine and spoken. While Kiraly automatically loads text into a text-to-speech engine to be spoken, the text is not text identified by positioning a pointing device over an active region of a grammatical unit, but rather is merely the next text portion of the text-based data.

3. Patentability of claims 1 and 33 over Chung and Kiraly

Chung discloses a system for converting an HTML document into audio signals. However, as correctly noted by the Examiner, Chung does not "reassembl[e] the original web page source code...to form visually displayable text-to-speech enable web page source code, as recited in step (d) of claims 1 and 33. Chung thus cannot be used in the manner of the present invention which allows any web page to be converted to a modified format "text-to-speech"

enabled web page that can be subsequently viewed by a browser and/or distributed to users over the Internet using conventional pathways and browsers.

The Examiner asserts that Kiraly et al. discloses the reassembling step that is missing from Chung. This is incorrect. All that Kiraly et al. discloses is that the source of the text-based data which is analyzed and processed in the manner shown in Figure 4 can be the Internet. That is, a web page retrieved from the Internet via Internet Explorer can be accessed as the source of the text-based data (step 410 of Figure 4). The subsequent steps in Figure 4 process the text-based data in a manner that allows spoken words to be displayed and highlighted. However, none of the steps in Figure 4 reassemble the source document (here, the web page) to form web page source code, as recited in claims 1 and 33. Thus, the version of the text-based data created for steps 420-460 is not formatted as a web page that can be subsequently viewed by a browser and/or transmitted over the Internet. Therefore, Kiraly lacks both the step and the beneficial function of step (d) of claims 1 and 33.

The text portions of Kiraly highlighted by the Examiner in the Office Action as allegedly disclosing the reassembling step all refer to Figure 4 which clearly does not show any reassembling into web page source code as required by the limitations of step (d) of claims 1 and 33.

4. Patentability of dependent claims

The dependent claims are believed to be patentable over the applied references for at least the reason that they are dependent upon allowable base claims and because they recite additional patentable elements and steps.

Allowable Claims

Applicants acknowledge the Examiner's allowance of claims 22-27 and 54-59, and the allowance of claims 5, 9, 37 and 41 if rewritten in independent form.

Conclusion

Insofar as the Examiner's rejections were fully addressed, the instant application is in condition for allowance. A Notice of Allowability of all pending claims is therefore earnestly solicited.

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Enclosure: Appendix (3 pages)

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